

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WISCONSIN**

In Re: Sylvia Banda

Chapter: 13

Debtors

Case No. 13-25901-PP

N30W23536 Greenfield Ct.
Pewaukee, WI 53072
Social Security No. xxx-xx-7221

Sylvia Banda

Adversary No.

Plaintiffs

VS.

Bank of America, N.A.
Green Tree, LLC, as servicer
Defendants

COMPLAINT

NOW COMES the Plaintiff Sylvia Banda by and through her attorney, Gregory T. Ryan, of the Law Offices of Dantzman and Dantzman, respectfully submitting this Complaint to avoid the second mortgage lien of Defendants, Bank of America, N.A., and Green Tree, LLC, as servicer as it is wholly unsecured and impairs the debtor's property located at N30W23536 Greenfield Court, Pewaukee, WI 53072.

In support Plaintiff respectfully represents to the Court as follows:

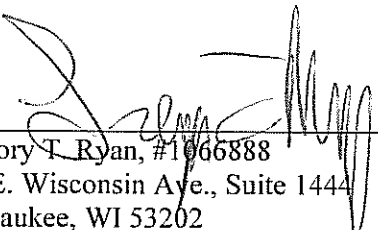
1. Plaintiff is the debtor in the above captioned Chapter 13 bankruptcy proceeding.
2. This Court has jurisdiction over this adversary proceeding pursuant to 28 U.S.C. 1471. This is a core proceeding under 28 U.S.C. 157(b)(2)(K).
3. Plaintiff filed the instant Chapter 13 bankruptcy on April 30, 2013.

4. Bank of America, N.A., hereinafter “Defendant,” holds a second mortgage on Plaintiff’s homestead property located at N30W23536 Greenfield Court, Pewaukee, WI 53072.
5. This mortgage is a second mortgage lien which attaches to debtor’s primary residence located at N30W23536 Greenfield Court, Pewaukee, WI 53072.
6. At the time of filing, the Plaintiff’s property had a fair market value of \$230,000, which is indicated by the Appraisal, performed June, 2014. (See Exhibit A).
7. Plaintiff’s property, at time of filing, had the following prior mortgage liens: First mortgage with Bank of America, N.A., in the amount of (\$250,534.22) (See Exhibit B).
8. The Second Circuit, in In Re Pond, 252 F. 3d 122, 126 (2d Cir. 2001), following the majority view in this area, held that the “antimodification protection afforded by 11 U.S.C. 1322(b)(2) [applies only when the creditor’s claim] is at least partially secured.” See also, In Re Bartee, 212 F.3rd 277 (CA5 2000); In Re Tanner, 217 F. 3rd 1357 (CA11 2000).
9. Here, the second mortgage lien does not attach to any equity and any claim filed, should be treated as wholly unsecured. The Defendant’s second mortgage balance was in the approximate amount of (\$44,056.23) at time of filing (See Exhibit C).
10. Pursuant to 11 U.S.C. Sec. 506(a), “An allowed claim of a creditor secured by a lien on property in which the estate has an interest . . . is a secured claim to the extent of the value of such creditor’s interest in the estate’s interest in such property, . . . and is an unsecured claim to the extent that the value of such creditor’s interest . . . is less than the amount of such allowed claim.”
11. Pursuant to 11 U.S.C. Sec. 506(d), “To the extent that a lien secures a claim against the debtor that is not an allowed secured claim, such lien is void,”

12. Thus, since Defendant's second mortgage does not attach to any equity in the Debtor's property it is wholly unsecured under 11 U.S.C. Sec. 506(a), and is void pursuant to 11 U.S.C. Sec. 506(d).

WHEREFORE, pursuant to 11 U.S.C. Sec. 506(d), Plaintiff, by and through his attorney, respectfully requests this Court enter an Order avoiding the Defendant's second mortgage lien, and treating any claim of the Defendant as general unsecured non-priority.

Dated this 10th day of June 2014.

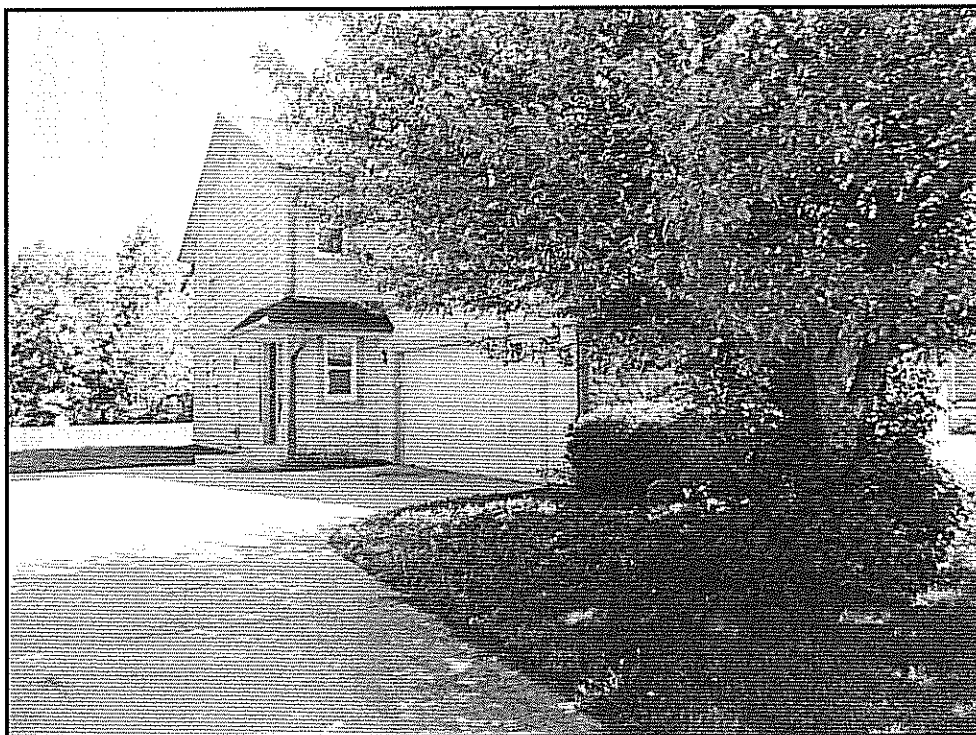


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Ex. A

Borrower/Client	Banda, Sylvia			File No.	BAND0514
Property Address	N30W23536 Greenfield Ct				
City	Pewaukee	County	Waukesha	State	WI Zip Code 53072
Lender	N/A				

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INDIVIDUAL CONDO UNIT APPRAISAL REPORT

File No.: BAND0514

SUBJECT	Property Address: N30W23536 Greenfield Ct		Unit #: 1	City: Pewaukee	State: WI			
	Zip Code: 53072		County: Waukesha	Legal Description: Unit 1 Western Sunset Condominiums No 2 Lot 197				
	Five Fields Addition No 3 PT NW1/4 Sec 14 T7N R19E Doc# 3461161		Assessor's Parcel #: PWC 0918002004					
	Tax Year: 2013 R.E. Taxes: \$ 4,287.83 Special Assessments: \$ None		Borrower (if applicable): Banda, Sylvia					
ASSIGNMENT	Current Owner of Record: Banda, Sylvia		Occupant: <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant (Market Rent) <input type="checkbox"/> Tenant (Regulated Rent) <input type="checkbox"/> Vacant					
	Project Type: <input checked="" type="checkbox"/> Condominium <input type="checkbox"/> Other (describe)		HOA: \$ 120 <input checked="" type="checkbox"/> per year <input type="checkbox"/> per month					
	Market Area Name: Western Sunset Condominiums		Map Reference: N30 W235		Census Tract: 2033.06			
	Project Name: Western Sunset Condominiums		Phase: 1					
MARKET AREA DESCRIPTION	The purpose of this appraisal is to develop an opinion of: <input checked="" type="checkbox"/> Market Value (as defined), or <input type="checkbox"/> other type of value (describe)							
	This report reflects the following value (if not Current, see comments): <input checked="" type="checkbox"/> Current (the Inspection Date is the Effective Date) <input type="checkbox"/> Retrospective <input type="checkbox"/> Prospective							
	Approaches developed for this appraisal: <input checked="" type="checkbox"/> Sales Comparison Approach <input type="checkbox"/> Cost Approach <input type="checkbox"/> Income Approach (See Reconciliation Comments and Scope of Work)							
	Property Rights Appraised: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Leased Fee <input type="checkbox"/> Other (describe)							
PROJECT SITE DESCRIPTION	Intended Use: Estimate fair market value As Is							
	Intended User(s) (by name or type): Sylvia Banda							
	Client: Banda, Sylvia		Address: N30W23536 Greenfield Ct., Pewaukee, WI 53072					
	Appraiser: Sherry A. Rockwell		Address: 59 S. Elm Street, Oconomowoc, WI 53066					
MARKET AREA DESCRIPTION	Location: <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Predominant Occupancy	Condominium Housing	Present Land Use	Change in Land Use			
	Built up: <input checked="" type="checkbox"/> Over 75% <input type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	<input checked="" type="checkbox"/> Owner 90	PRICE AGE	One-Unit 60%	<input checked="" type="checkbox"/> Not Likely			
	Growth rate: <input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	<input checked="" type="checkbox"/> Tenant 10	\$(000) (yrs)	2-4 Unit 15%	<input type="checkbox"/> Likely * <input type="checkbox"/> In Process *			
	Property values: <input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining	<input type="checkbox"/> Vacant (0-5%)	200 Low 10	Multi-Unit 3%	* To: _____			
Demand/supply: <input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply		<input type="checkbox"/> Vacant (>5%)	295 High 30	Comm'l 1%				
Marketing time: <input type="checkbox"/> Under 3 Mos. <input checked="" type="checkbox"/> 3-6 Mos. <input type="checkbox"/> Over 6 Mos.		<input checked="" type="checkbox"/> Vacant (>5%)	230 Pred 20	Vacant 21%				
Market Area Boundaries, Description, and Market Conditions (including support for the above characteristics and trends): Current interest rates have minimized discounts, buydowns and concessions. Conventional financing is available at reasonable rates. Sellers need not negotiate a sale on financing related concessions. Property values have become stable with typical market time between 3 and 6 months with some properties selling within 3 months.								
The subject is bound by Capitol Dr. north, Watertown Rd. south, Redford Rd. east and Hwy. 164 west. The subject property is located in the City of Pewaukee. Neighboring dwellings are mostly similar in terms of age, style and utility reflecting average to good upkeep. Local schools, shopping, employment and recreation are within a 3 mile radius. The area appears to be stable from a residential standpoint.								
PROJECT SITE DESCRIPTION	Zoning Classification: RD1		Description: Two Family Residential					
	Ground Rent (if applicable) \$ _____ / _____		Zoning Compliance: <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal nonconforming (grandfathered) <input type="checkbox"/> Illegal <input type="checkbox"/> No zoning					
	Highest & Best Use as improved (or as proposed per plans & specifications): <input checked="" type="checkbox"/> Present use, or <input type="checkbox"/> Other use (explain) _____							
	Actual Use as of Effective Date: Side X Side Condominium Use as appraised in this report: Condominium							
Summary of Highest & Best Use: Current use as condominium is Highest and Best Use								
PROJECT SITE DESCRIPTION	Utilities	Public Other	Provider/Description	Off-site Improvements	Type	Public Private	Density	Medium
	Electricity	<input checked="" type="checkbox"/> <input type="checkbox"/>	WE Energies	Street	Asphalt	<input checked="" type="checkbox"/> <input type="checkbox"/>	Size	Typical for area/0.60 Acres
	Gas	<input checked="" type="checkbox"/> <input type="checkbox"/>	WE Energies	Curb/Gutter	Concrete	<input checked="" type="checkbox"/> <input type="checkbox"/>	Topography	Mostly level
	Water	<input checked="" type="checkbox"/> <input type="checkbox"/>	Public Utilities	Sidewalk	Concrete	<input checked="" type="checkbox"/> <input type="checkbox"/>	View	Residential
Sanitary Sewer		<input checked="" type="checkbox"/> <input type="checkbox"/>	Public	Street Lights	Yes	<input checked="" type="checkbox"/> <input type="checkbox"/>		
Storm Sewer		<input checked="" type="checkbox"/> <input type="checkbox"/>	Public	Alley	None	<input type="checkbox"/> <input type="checkbox"/>		
Other site elements: <input checked="" type="checkbox"/> Inside Lot <input type="checkbox"/> Corner Lot <input type="checkbox"/> Cul de Sac <input checked="" type="checkbox"/> Underground Utilities <input type="checkbox"/> Other (describe)								
FEMA Spec'l Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FEMA Flood Zone X FEMA Map # 55133C0204F FEMA Map Date 11/19/2008								
Site Comments: The utilities are typical of the market area. There were no adverse site conditions or external factors of easements, encroachments, environmental conditions, etc. noted on day of inspection. The subject lot is shared with 1 other unit. Each unit is responsible for yard work and snow removal.								

INDIVIDUAL CONDO UNIT APPRAISAL REPORT

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PROJECT INFORMATION	Data source(s) for project information <u>Sylvia Banda</u>									
	Project Description <input type="checkbox"/> Detached <input checked="" type="checkbox"/> Row or Townhouse <input type="checkbox"/> Garden <input type="checkbox"/> Mid-Rise <input type="checkbox"/> High-Rise <input type="checkbox"/> Other (describe)									
	General Description of Project					Subject Phase #				
	# of Stories <u>2</u>	Exterior Walls <u>Wd/Stn/Avg</u>	Units <u>2</u>	If Project Completed #		If Project Incomplete #				
	# of Elevators <u>0</u>	Roof Surface <u>Asph/Shngl/Avg</u>	Units Completed <u>2</u>	Units <u>2</u>		Planned Phases				
	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Und.Cons.	Total # Parking <u>7</u>	Units For Sale <u>0</u>	Units for Sale <u>0</u>		Units for Sale				
	Design (Style) <u>Colonial</u>	Ratio (spaces/unit) <u>5/1</u>	Units Sold <u>2</u>	Units Sold <u>2</u>		Units Sold				
	Actual Age (Yrs.) <u>21</u>	Parking Type(s) <u>2 Gar/Driveway</u>	Units Rented <u>0</u>	Units Rented <u>0</u>		Units Rented				
	Effective Age (Yrs.) <u>10</u>	Guest Parking <u>Yes</u>	Owner Occup. Units <u>2</u>	Owner Occup. Units <u>2</u>		Owner Occup. Units				
	Project Primary Occupancy <input checked="" type="checkbox"/> Principal Residence <input type="checkbox"/> Second Home or Recreational <input type="checkbox"/> Tenant									
Is the developer/builder in control of the Homeowners' Association (HOA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No										
Management Group: <input type="checkbox"/> Homeowners' Association <input type="checkbox"/> Developer <input checked="" type="checkbox"/> Management Agent (name of management agent or company): <u>HOA consists of owners of each of the 2 units.</u>										
Was the project created by the conversion of existing building(s) into a condominium? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe the original use and date of conversion.										
Original use was a duplex.										
Are CC&Rs applicable? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown Have the documents been reviewed? <input type="checkbox"/> Yes <input type="checkbox"/> No Comments:										
Project Comments (condition, quality of construction, completion status, etc.): <u>The subject property is in average condition reflecting average upkeep. It appears to be built of quality materials and construction. The project is complete.</u>										
Common Elements and Recreational Facilities: <u>Common grassy areas.</u>										
Summary of condominium project budget analysis for the current year (if analyzed): <u>The budget analysis was not available for review. Project is complete.</u>										
PROJECT ANALYSIS	Other fees for the use of the project facilities (other than regular HOA charges): <u>None</u>									
	Compared to other competitive projects of similar quality and design, the subject unit charge appears <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Low (If High or Low, describe)									
	Are there any special or unusual characteristics of the project (based on the condominium documents, HOA meetings, or other information) known to the appraiser? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe and explain the effect on value and marketability.									
UNIT IMPROVEMENTS	Unit Charge: \$ <u>10.00</u> per month X 12 = \$ <u>120</u> per year. Annual assessment charge per year per SF of GLA = \$ <u>0.07</u>									
	Utilities included in the Unit Charge: <input checked="" type="checkbox"/> None <input type="checkbox"/> Heat <input type="checkbox"/> Air Conditioning <input type="checkbox"/> Electricity <input type="checkbox"/> Gas <input type="checkbox"/> Water <input type="checkbox"/> Sewer <input type="checkbox"/> Cable <input type="checkbox"/> Other									
	Source(s) used for physical characteristics of property: <input checked="" type="checkbox"/> New Inspection <input type="checkbox"/> Previous Appraisal Files <input checked="" type="checkbox"/> MLS <input checked="" type="checkbox"/> Assessment and Tax Records <input type="checkbox"/> Prior Inspection									
	<input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Other (describe)									
	Data Source for Gross Living Area <u>Site Inspection</u>									
	General Description		Exterior Description		Foundation <input type="checkbox"/> N/A		Basement <input type="checkbox"/> N/A		Heating	
	Floor Location <u>1</u>	Foundation <u>Conc Blk/Avg</u>	Slab <u>None</u>	Area Sq. Ft. <u>840</u>	Type <u>FWA</u>					
	# of Levels <u>2</u>	Exterior Walls <u>Wd/Stn/Avg</u>	Crawl Space <u>None</u>	% Finished <u>0</u>	Fuel <u>Gas</u>					
	Design (Style) <u>Colonial</u>	Roof Surface <u>Asph/Shngl/Avg</u>	Basement <u>Full</u>	Ceiling <u>Open Joist</u>						
	<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed	Gutters & Dwnspits. <u>Alum/Avg</u>	Sump Pump <input type="checkbox"/> None	Walls <u>Conc Block</u>						
<input type="checkbox"/> Under Construction	Window Type <u>Dbl Hng/Avg</u>	Dampness <input checked="" type="checkbox"/> Minimal	Floor <u>Concrete</u>							
Actual Age (Yrs.) <u>21</u>	Storm/Screens <u>Combo</u>	Settlement <u>Typical</u>	Outside Entry <u>No</u>							
Effective Age (Yrs.) <u>10</u>		Infestation <u>None</u>								

INDIVIDUAL CONDO UNIT APPRAISAL REPORT

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UNIT IMPROVEMENTS (continued)	Interior Description	Appliances	Attic <input type="checkbox"/> N/A	Amenities	Car Storage <input type="checkbox"/> None
	Floors <u>Tile/Cpt/Avg</u>	Refrigerator <input type="checkbox"/>	Stairs <input type="checkbox"/>	Fireplace(s) # <u>0</u>	<input checked="" type="checkbox"/> Garage # <u>2</u>
	Walls <u>Drywall/Avg</u>	Range/Oven <input type="checkbox"/>	Drop Stair <input type="checkbox"/>	Woodstove(s) # <u>0</u>	<input type="checkbox"/> Covered # <u> </u>
	Trim/Finish <u>Wood/Avg</u>	Disposal <input checked="" type="checkbox"/>	Scuttle <input checked="" type="checkbox"/>	<u>Wood</u>	<input type="checkbox"/> Open # <u> </u>
	Bath Floor <u>Tile/Avg</u>	Dishwasher <input checked="" type="checkbox"/>	Doorway <input type="checkbox"/>	<u>None</u>	Total # of cars <u>5</u>
	Bath Wainscot <u>SS/Avg</u>	Fan/Hood <input type="checkbox"/>	Floor <input type="checkbox"/>	<u>None</u>	<input type="checkbox"/> Assigned
	Doors <u>Wd/Avg</u>	Microwave <input checked="" type="checkbox"/>	Heated <input type="checkbox"/>	<u>None</u>	<input checked="" type="checkbox"/> Owned Driveway
		Washer/Dryer <input type="checkbox"/>	Finished <input type="checkbox"/>	<u>None</u>	Space #(s) <u>5</u>
	Finished area above grade contains: <u>5</u> Rooms <u>3</u> Bedrooms <u>2.1</u> Bath(s) <u>1,758</u> Square Feet of Gross Living Area Above Grade				
	Are the heating and cooling for the individual units separately metered? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If No, describe) <u> </u>				
Additional features: <u>None</u>					
Describe the condition of the property (including physical, functional and external obsolescence): <u>The subject property is in average condition reflecting average upkeep. There were no physical, functional or external obsolescence noted on day of inspection. The basement would benefit from a dehumidifier for the dampness typical in basements. The exterior wood will need paint/stain in the future. There are signs of weather related deterioration. The interior tile flooring is good. Typical of a property 20 years old, some carpeted areas are showing signs of age. The unit has upgraded granite counters in the kitchen and tile flooring in foyer, kitchen, dining and baths. Master bedroom has a vaulted ceiling. The dinette has patio doors to backyard and deck.</u>					
INCOME APPROACH	INCOME APPROACH TO VALUE (if developed)		<input checked="" type="checkbox"/> The Income Approach was not developed for this appraisal.		
	FEATURE	SUBJECT	COMPARABLE RENTAL # 1		COMPARABLE RENTAL # 2
	Address <u>N30W23536 Greenfield Ct</u>				
	<u>Pewaukee, WI 53072</u>				
	Project <u>Western Sunset Condominiums</u>				
	Phase <u>1</u>				
	Proximity to Subject				
	Current Monthly Rent	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>
	Rent/GLA	\$ <u> </u> /sq.ft.	\$ <u> </u> /sq.ft.	\$ <u> </u> /sq.ft.	\$ <u> </u> /sq.ft.
	Rent Control	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Data Source(s)				
	Date of Lease(s)				
	Location	<u>Residential</u>			
	View				
	Age	<u>21</u>			
Condition	<u>Average</u>				
Above Grade	Total Bdrms Baths	Total Bdrms Baths	Total Bdrms Baths	Total Bdrms Baths	
Room Count	<u>5</u> <u>3</u> <u>2.1</u>				
Gross Living Area	<u>1,758</u> sq.ft.	<u> </u> sq.ft.	<u> </u> sq.ft.	<u> </u> sq.ft.	
Utilities Included					
Summary of Income Approach (including support for market rent and GRM): <u> </u>					
Opinion of Monthly Market Rent \$ <u> </u> X Gross Rent Multiplier <u> </u> = \$ <u> </u> Indicated Value by Income Approach					
TRANSFER HISTORY	My research <input type="checkbox"/> did <input checked="" type="checkbox"/> did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.				
	Data Source(s): <u>MLS/Tax/Assessor Records</u>				
	1st Prior Subject Sale/Transfer	Analysis of sale/transfer history and/or any current agreement of sale/listing: <u> </u>			
	Date:				
	Price:				
	Source(s):				
	2nd Prior Subject Sale/Transfer				
	Date:				
	Price:				
	Source(s):				

INDIVIDUAL CONDO UNIT APPRAISAL REPORT

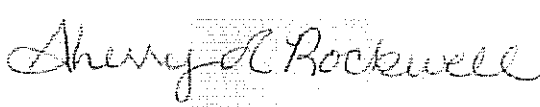
File No.: BAND0514

SALES COMPARISON APPROACH TO VALUE (if developed) <input type="checkbox"/> The Sales Comparison Approach was not developed for this appraisal.													
FEATURE		SUBJECT		COMPARABLE SALE # 1			COMPARABLE SALE # 2			COMPARABLE SALE # 3			
Address		N30W23536 Greenfield Ct Pewaukee, WI 53072		N30W23490 Greenfield Ct Pewaukee, WI 53072			N19W26686 Milkweed Ln Pewaukee, WI 53072			N21W24045 Garden Cir Pewaukee, WI 53072			
Project		Western Sunset Condominiums Phase 1		Greenfield Court 1			Princeton Place 1			Gardens of Avondale 1			
Proximity to Subject				0.06 miles E			3.43 miles SW			1.21 miles SW			
Sale Price		\$		\$ 211,000			\$ 237,000			\$ 271,500			
Sale Price/GLA		\$ /sq.ft.		\$ 113.44 /sq.ft.			\$ 126.81 /sq.ft.			\$ 118.77 /sq.ft.			
Data Source(s)		MLS/Tax/Assessor		MLS/Tax/Assessor Records			MLS/Tax/Assessor Records			MLS/Tax/Assessor Records			
Verification Source(s)		Assessor/Inspection		MLS/Tax/Assessor Records			MLS/Tax/Assessor Records			MLS/Tax/Assessor Records			
VALUE ADJUSTMENTS		DESCRIPTION		DESCRIPTION		+	DESCRIPTION		+	DESCRIPTION		+	
Sales or Financing				Conv DOM 7			Cash DOM 5			Conv DOM 200			
Concessions				Closing Cost Conc		-5,682	None Known			None Known			
Date of Sale/Time				09/13			05/14			05/14			
Rights Appraised		Fee Simple		Fee Simple			Fee Simple			Fee Simple			
Location		Residential		Residential			Residential			Residential			
HOA Fees (\$/Month)		10.00		125		0	100		0	378		0	
Common Elements and Recreational Facilities		grassy areas		grassy areas			grassy areas			Pool, Tennis, Club House, Grassy		-15,000	
Floor Location		1		1			1			1			
View		Residential		Residential			Residential			Residential			
Design (Style)		Colonial		Ranch		0	Ranch		0	Colonial			
Quality of Construction		Average		Average			Average			Average			
Age		21		17		0	19		0	24		0	
Condition		Average		Average			Average			Average			
Above Grade		Total	Bdrms	Baths	Total	Bdrms	Baths	Total	Bdrms	Baths	Total	Bdrms	Baths
Room Count		5	3	2.1	6	2	2	6	2	2	6	2	2.1
Gross Living Area		1,758 sq.ft.			1,860 sq.ft.			1,869 sq.ft.			2,286 sq.ft.		
Basement & Finished Rooms Below Grade		Full			Full			Full			Full		
Functional Utility		Average			Average			Average			Average		
Heating/Cooling		FWA/Cent			FWA/Cent			FWA/Cent			FWA/Cent		
Energy Efficient Items		None			None			None			None		
Parking		5			2 Att Gar/On Site			2 Att Gar/On Site			2 Att Gar/On Site		
Porch/Patio/Deck		Deck			Deck			Deck			Patio		
Fireplace(s)		No Fpl			1 Fpl			1 Fpl			1 Fpl		
Extras		None			None			None			None		
Net Adjustment (Total)					<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -7,202			<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -1,610			<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -20,280		
Adjusted Sale Price of Comparables					Net 3.4% Gross 6.7% \$ 203,798			Net 0.7% Gross 3.6% \$ 235,390			Net 7.5% Gross 8.9% \$ 251,220		
Summary of Sales Comparison Approach All comparables are located in the subject complex or a nearby competing complex that has units similar in age and style. This is the immediate market area even if just over 1 mile away. It was deemed important to use comparables that are 2 unit/duplex style units as these units have a more private yard feel than buildings with 4 or more units. All comparables are 2 unit buildings like the subject. All comparables are part of the same school district. Every attempt was made to use comparable sales that are the most similar to the subject in terms of age, sq.ft., utility and amenities. Approximately 30 recent sales and active listings were analyzed. Photos and data are reviewed for similar updates, condition and finishes in flooring, counters, etc. Adjustments for bedroom, bathroom, fireplace, recreational amenities and basement were derived by analysis of the sales in the area. No adjustment for land/lot size is given as the comparables lot size ranges from .53 to .75 acres and the subject has .60 acres. Two of the 3 sales sold within 1 month of the date of this report. One sale over 6 months old was used because it is located on the same street as the subject. One active listing is also located on the subject street. The comparables bracket lot size, age and sf.. Three bedroom units were used where available. Most condominium units have 2 bedrooms. Comparables 2 and 3 have a den that could be used as a 3rd bedroom. Both active listings have 3 bedrooms. See comparables 4-6 for more.													
Indicated Value by Sales Comparison Approach \$ 230,000													



INDIVIDUAL CONDO UNIT APPRAISAL REPORT

File No.: BAND0514

COST APPROACH	COST APPROACH TO VALUE (if developed) <input checked="" type="checkbox"/> The Cost Approach was not developed for this appraisal.	
	Summary of Cost Approach: The Cost Approach to Value is not given consideration in a multi-unit building.	
RECONCILIATION	Indicated Value by: Sales Comparison Approach \$ 230,000 Cost Approach (if developed) \$ 0 Income Approach (if developed) \$ 0	
	Final Reconciliation The most consideration is allotted the Sales Comparison Approach to value because it best reflects the activity of buyers and sellers. The Cost Approach does not apply to condominium units. The Income Approach would not be considered in the valuation of condominium units due to inconsistent rental data and the majority of units being owner occupied.	
ATTACHMENTS	This appraisal is made <input checked="" type="checkbox"/> "as is", <input type="checkbox"/> subject to completion per plans and specifications on the basis of a Hypothetical Condition that the improvements have been completed, <input type="checkbox"/> subject to the following repairs or alterations on the basis of a Hypothetical Condition that the repairs or alterations have been completed, <input type="checkbox"/> subject to the following required inspection based on the Extraordinary Assumption that the condition or deficiency does not require alteration or repair: _____	
SIGNATURES	<input type="checkbox"/> This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda. Based on the degree of inspection of the subject property, as indicated below, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ 230,000 , as of: 06/03/2014 , which is the effective date of this appraisal. If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.	
	A true and complete copy of this report contains <u>18</u> pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report.	
	Attached Exhibits:	
	<input checked="" type="checkbox"/> Scope of Work <input checked="" type="checkbox"/> Limiting Cond./Certifications <input type="checkbox"/> Narrative Addendum <input checked="" type="checkbox"/> Photograph Addenda <input checked="" type="checkbox"/> Sketch Addendum <input checked="" type="checkbox"/> Map Addenda <input type="checkbox"/> Additional Sales <input type="checkbox"/> Additional Rentals <input type="checkbox"/> Flood Addendum <input type="checkbox"/> Hypothetical Conditions <input type="checkbox"/> Extraordinary Assumptions <input type="checkbox"/> Budget Analysis <input checked="" type="checkbox"/> Additional Listings <input checked="" type="checkbox"/> Table of Contents <input checked="" type="checkbox"/> General Text Addendum	
	Client Contact: Banda, Sylvia Client Name: Banda, Sylvia	
	E-Mail: syl_banda@yahoo.com Address: N30W23536 Greenfield Ct., Pewaukee, WI 53072	
	<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> APPRAISER  Appraiser Name: Sherry A. Rockwell Company: Rockwell Appraisal Company Phone: (262) 560-9809 Fax: (414) 921-0895 E-Mail: rockwellappr@charter.net Date of Report (Signature): June 04, 2014 License or Certification #: 1597-4 State: WI Designation: _____ Expiration Date of License or Certification: 12/14/2015 Inspection of Subject: <input checked="" type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: 06/03/2014 </div> <div style="width: 48%;"> SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable) Supervisory or Co-Appraiser Name: _____ Company: _____ Phone: _____ Fax: _____ E-Mail: _____ Date of Report (Signature): _____ License or Certification #: _____ State: _____ Designation: _____ Expiration Date of License or Certification: _____ Inspection of Subject: <input type="checkbox"/> Interior & Exterior <input type="checkbox"/> Exterior Only <input type="checkbox"/> None Date of Inspection: _____ </div> </div>	

ADDITIONAL COMPARABLE SALES

File No.: BAND0514

FEATURE		SUBJECT		COMPARABLE SALE #4		COMPARABLE SALE #5		COMPARABLE SALE #6	
Address		N30W23536 Greenfield Ct Pewaukee, WI 53072		W264N2031 Deer Haven Ct Pewaukee, WI 53072		N30W23549 Greenfield Ct Pewaukee, WI 53072			
Project		Western Sunset Condominiums		Deer Haven		Greenfield			
Phase		1		1		1			
Proximity to Subject				3.17 miles SW		0.01 miles S			
Sale Price		\$		\$ 235,000		\$ 249,000		\$	
Sale Price/GLA		\$ /sq.ft.		\$ 150.64 /sq.ft.		\$ 157.40 /sq.ft.		\$ /sq.ft.	
Data Source(s)		MLS/Tax/Assessor		MLS/Tax/Assessor Records		MLS/Tax/Assessor Records			
Verification Source(s)		Assessor/Inspector		MLS/Tax/Assessor Records		MLS/Tax/Assessor Records			
VALUE ADJUSTMENTS		DESCRIPTION		DESCRIPTION		DESCRIPTION		DESCRIPTION	
				+(-) \$ Adjust.		+(-) \$ Adjust.		+(-) \$ Adjust.	
Sales or Financing Concessions				DOM 66		DOM 175			
Date of Sale/Time				Pending Listing		Active Listing			
				-4,700		-5,000			
Rights Appraised		Fee Simple		Fee Simple		Fee Simple			
Location		Residential		Residential		Residential			
HOA Fees (\$/Month)		10.00		125		100			
Common Elements and Recreational Facilities		grassy areas		grassy areas		grassy areas			
Floor Location		1		1		1			
View		Residential		Residential		Residential			
Design (Style)		Colonial		Ranch		Colonial			
Quality of Construction		Average		Average		Average			
Age		21		15		22		0	
Condition		Average		Average		Average			
Above Grade		Total Bdrms Baths		Total Bdrms Baths		Total Bdrms Baths		Total Bdrms Baths	
Room Count		5 3 2.1		5 2 2		6 3 2			
Gross Living Area		1,758 sq.ft.		1,560 sq.ft.		1,582 sq.ft.		sq.ft.	
Basement & Finished Rooms Below Grade		Full		Full		Full			
Functional Utility		Average		Average		Average			
Heating/Cooling		FWA/Cent		FWA/Cent		FWA/Cent			
Energy Efficient Items		None		None		None			
Parking		5		2 Att Gar/On Site		2 Att Gar/On Site			
Porch/Patio/Deck		Deck		Deck		Patio			
Fireplace(s)		No Fpl		1 Fpl		1 Fpl			
Extras		None		None		None			
Net Adjustment (Total)				<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -8,220		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -3,740		<input type="checkbox"/> + <input type="checkbox"/> - \$	
Adjusted Sale Price of Comparables				Net 3.5 % Gross 8.2 % \$ 226,780		Net 1.5 % Gross 4.1 % \$ 245,260		Net % Gross % \$	

SALES COMPARISON APPROACH

Summary of Sales Comparison Approach Information on the comparables was obtained from assessor data. It is deemed reliable, but not guaranteed. Yearly fees for the subject are similar to the comparables that do their own yard work, snow removal, etc. and that do not have added complex amenities. The exception to this is comparable 3. The adjustment for comparable 3 added amenities is based on the average sales price of units in this complex in comparison to others that do not have them. This complex also has lawn maintenance and snow removal included in fees.

The area average for active listings to sale price is 2%. An adjustment is given the active comparables accordingly.

In arriving at a final opinion of value the most consideration is given the sales with slightly more weight given comparables 1 and 2. They are the most similar overall and required the fewest adjustments. The active listings are given consideration, but not the weight of a sale.

See General Text Addendum on next page for detailed analysis.

Supplemental AddendumFile No. **BAND0514**

Borrower/Client	Banda, Sylvia				
Property Address	N30W23536 Greenfield Ct				
City	Pewaukee	County	Waukesha	State	WI Zip Code 53072
Lender	N/A				

Summary of Sales Comparison

Comparable 1 MLS data states unit has an open floor plan, patio door off kitchen/dinette area, skylights, living room with fireplace and den or family room. There is a master suite and finished lower level. Photos show a nice unit with mostly hardwood flooring. Kitchen and baths are original. This unit is on the same street as the subject.

Comparable 2 MLS data states bright and airy floor plan with windows on 3 sides, 2 way fireplace in living room/den, large deck, full basement with rec room and painted inside and out 3 years ago. Photos confirm data. Kitchen and baths are original. Unit appears very well maintained and in good condition.

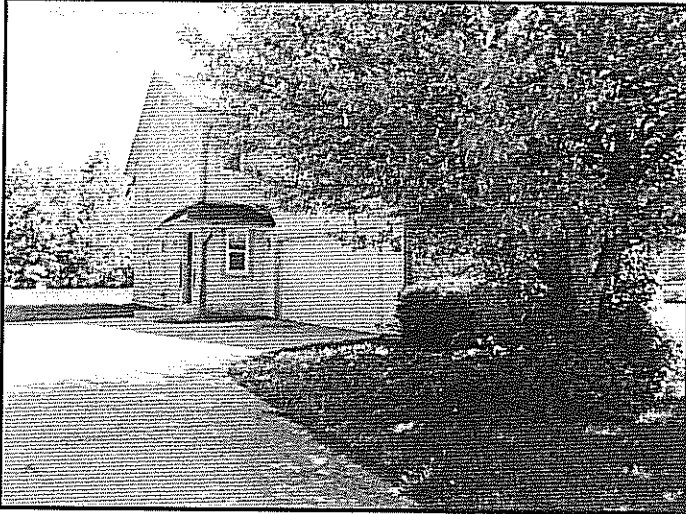
Comparable 3 MLS data states unit is beautifully updated with 2 master bedroom suites, upper suite has a walk-in shower with Kohler rain shower and body jets. Upgrades include solid surface counters. This unit is located in a complex with a clubhouse, outdoor pool and tennis court. Photos confirm data.

Comparable 4 MLS data states spacious condo with 2 bedrooms and baths on main level and 1 bedroom and bath on lower level with mini kitchen. This property is active with an offer pending. It is being sold as a foreclosure, however, photos show it is in move in condition and appears to be listed very near market value.

Comparable 5 MLS data states home is move in ready with soaring ceilings, elegant woodwork, custom built-ins, 2 way fireplace and hardwood floors. Photos confirm data. There is nice woodwork and wood flooring. Kitchen and baths appear original. Fireplace is 2 way between living room and kitchen. This property is across the street from the subject. The drawback to it is the backyard lot line is at rail road tracks.

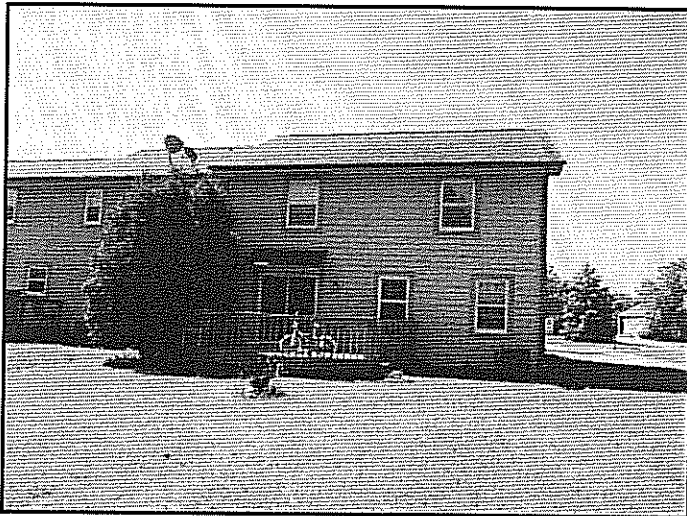
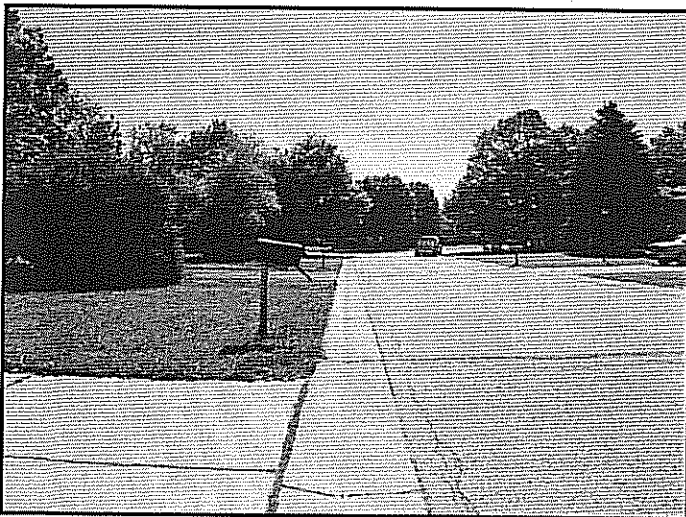
Subject Photo Page

Borrower/Client	Banda, Sylvia				
Property Address	N30W23536 Greenfield Ct				
City	Pewaukee	County	Waukesha	State	WI Zip Code 53072
Lender	N/A				

**Subject Front**

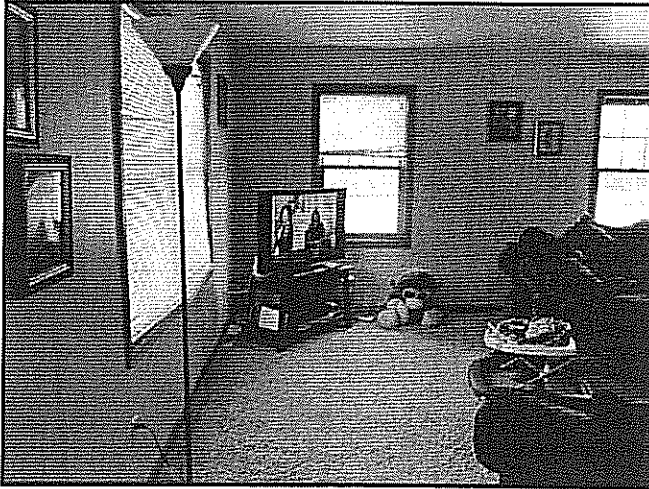
N30W23536 Greenfield Ct

Sales Price
 Gross Living Area 1,758
 Total Rooms 5
 Total Bedrooms 3
 Total Bathrooms 2.1
 Location Residential
 View Residential
 Site
 Quality Average
 Age 21

**Subject Rear****Subject Street**

Photograph Addendum

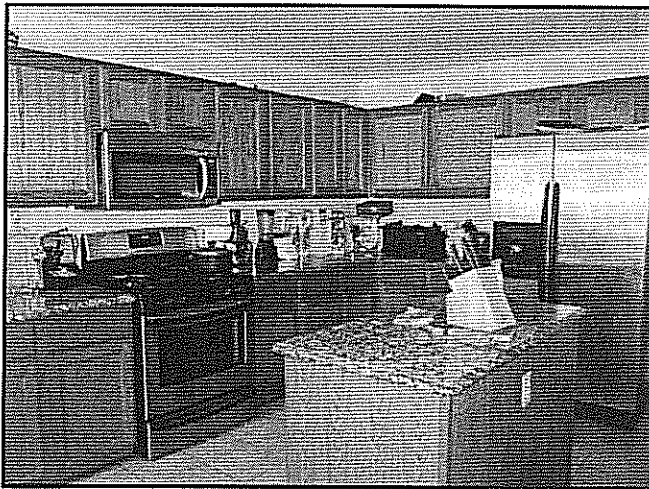
Borrower/Client	Banda, Sylvia				
Property Address	N30W23536 Greenfield Ct				
City	Pewaukee	County	Waukesha	State	WI Zip Code 53072
Lender	N/A				



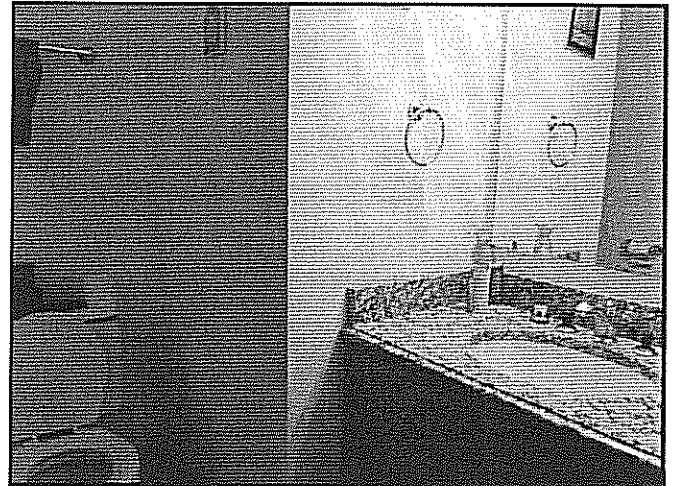
Living Room



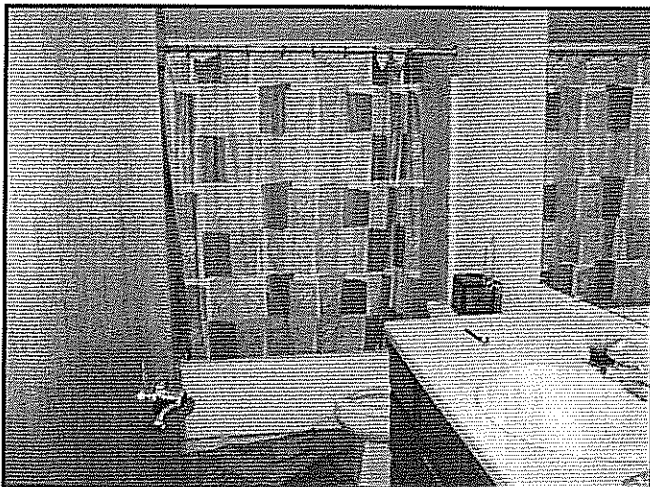
Dining Room



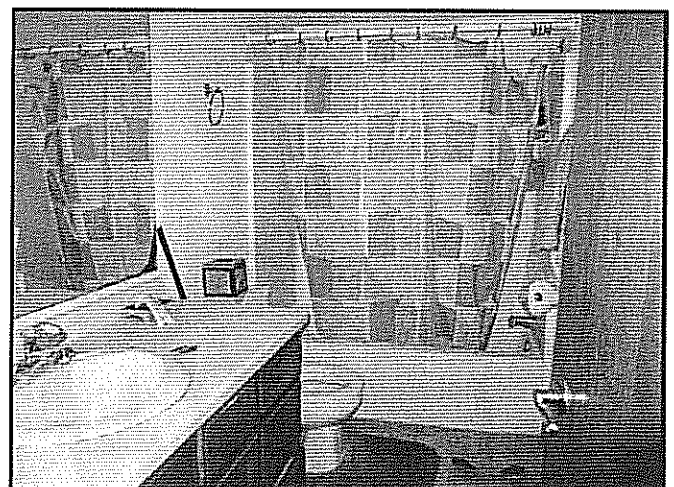
Kitchen with granite counters



Half Bath with granite counter



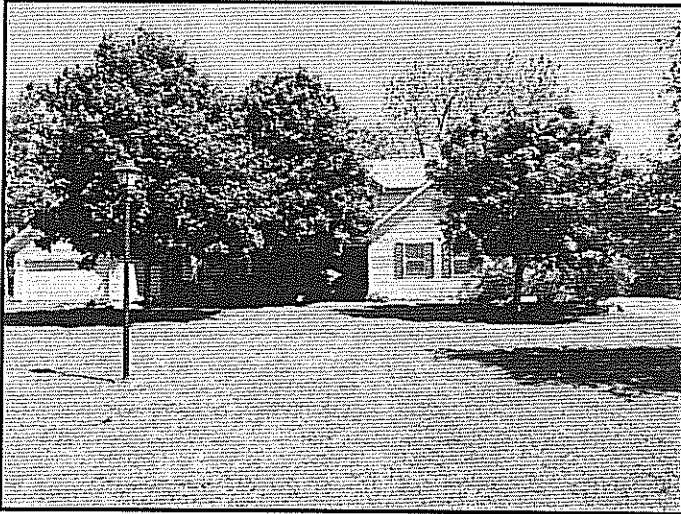
Master Bath



Main Bath

Comparable Photo Page

Borrower/Client	Banda, Sylvia				
Property Address	N30W23536 Greenfield Ct				
City	Pewaukee	County	Waukesha	State	WI Zip Code 53072
Lender	N/A				



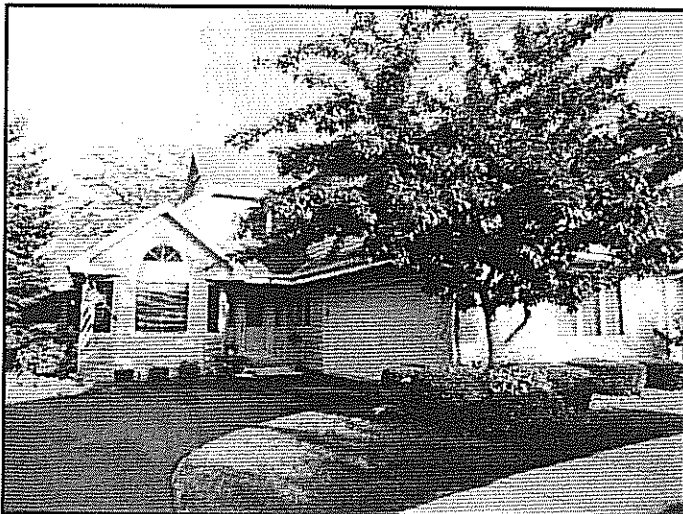
Comparable 1

N30W23490 Greenfield Ct
 Prox. to Subject 0.06 miles E
 Sales Price 211,000
 Gross Living Area 1,860
 Total Rooms 6
 Total Bedrooms 2
 Total Bathrooms 2
 Location Residential
 View Residential
 Site
 Quality Average
 Age 17



Comparable 2

N19W26686 Milkweed Ln
 Prox. to Subject 3.43 miles SW
 Sales Price 237,000
 Gross Living Area 1,869
 Total Rooms 6
 Total Bedrooms 2
 Total Bathrooms 2
 Location Residential
 View Residential
 Site
 Quality Average
 Age 19

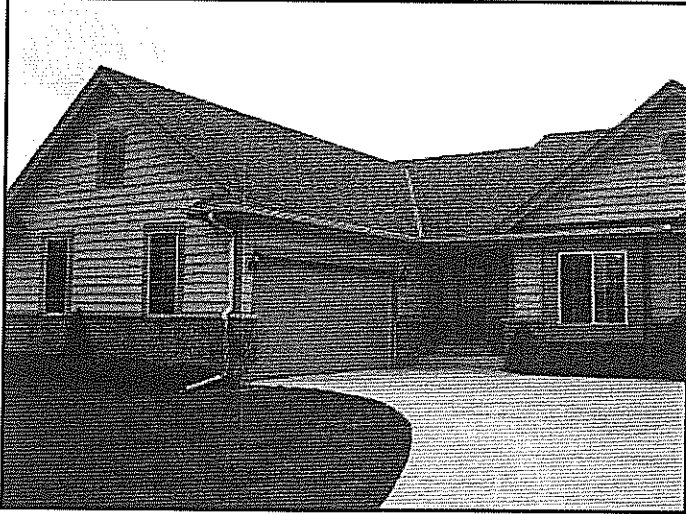


Comparable 3

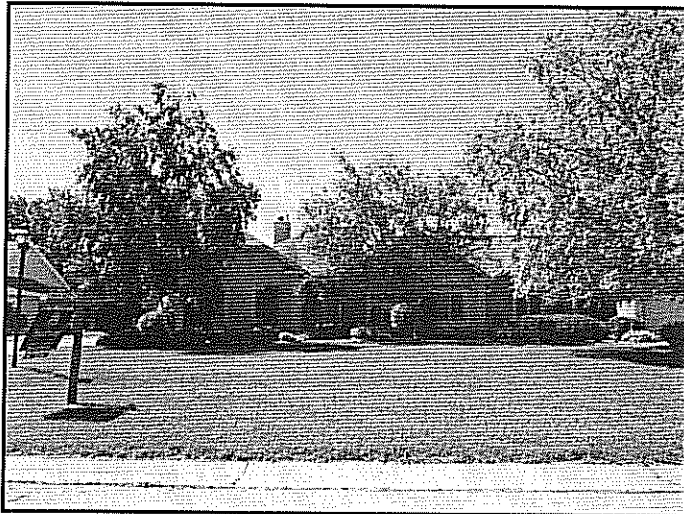
N21W24045 Garden Cir
 Prox. to Subject 1.21 miles SW
 Sales Price 271,500
 Gross Living Area 2,286
 Total Rooms 6
 Total Bedrooms 2
 Total Bathrooms 2.1
 Location Residential
 View Residential
 Site
 Quality Average
 Age 24

Comparable Photo Page

Borrower/Client	Banda, Sylvia				
Property Address	N30W23536 Greenfield Ct				
City	Pewaukee	County	Waukesha	State	WI
Lender	N/A			Zip Code	53072

**Comparable 4**

W264N2031 Deer Haven Ct	
Prox. to Subject	3.17 miles SW
Sales Price	235,000
Gross Living Area	1,560
Total Rooms	5
Total Bedrooms	2
Total Bathrooms	2
Location	Residential
View	Residential
Site	
Quality	Average
Age	15

**Comparable 5**

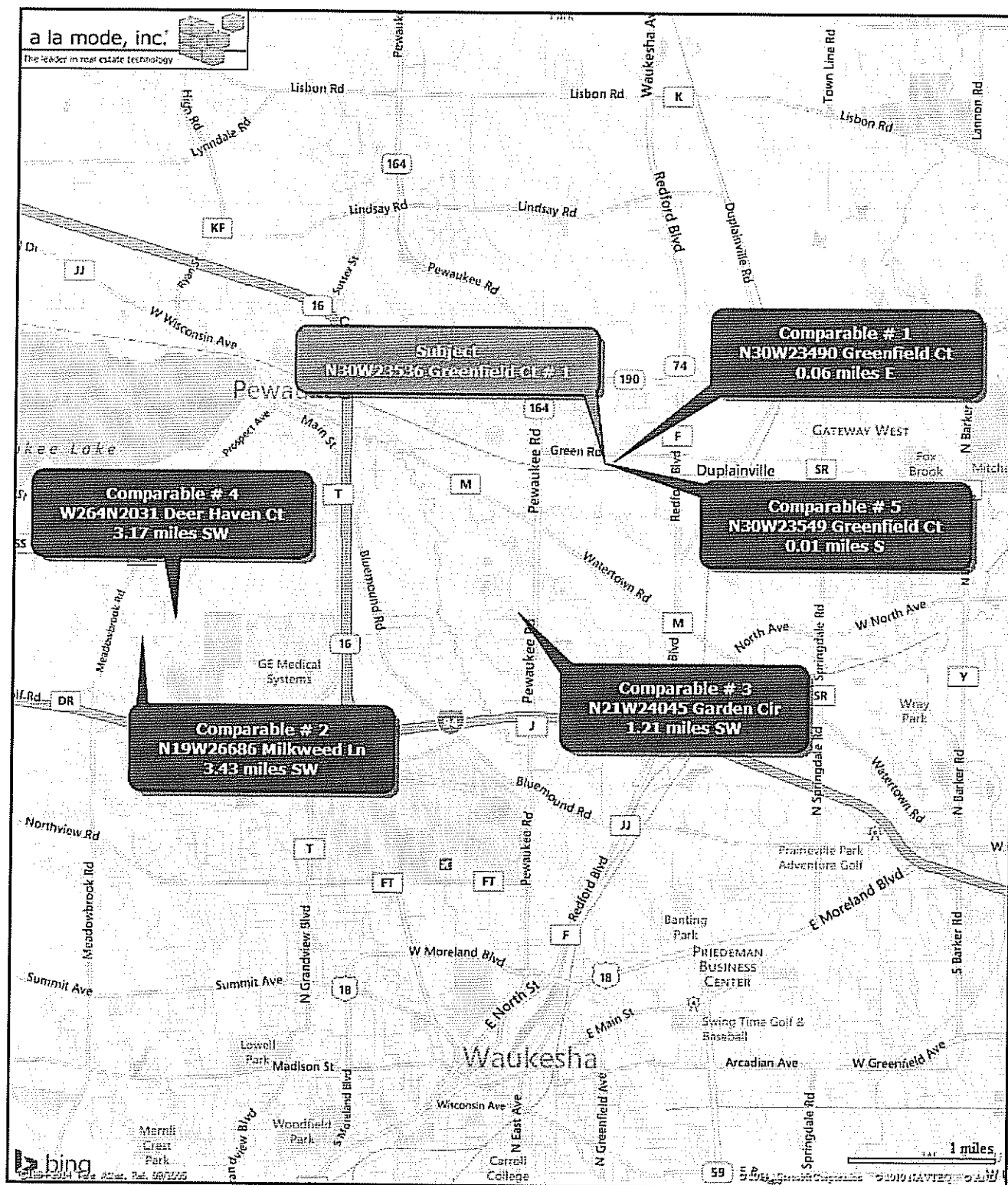
N30W23549 Greenfield Ct	
Prox. to Subject	0.01 miles S
Sales Price	249,000
Gross Living Area	1,582
Total Rooms	6
Total Bedrooms	3
Total Bathrooms	2
Location	Residential
View	Residential
Site	
Quality	Average
Age	22

6

Prox. to Subject
Sales Price
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location
View
Site
Quality
Age

Location Map

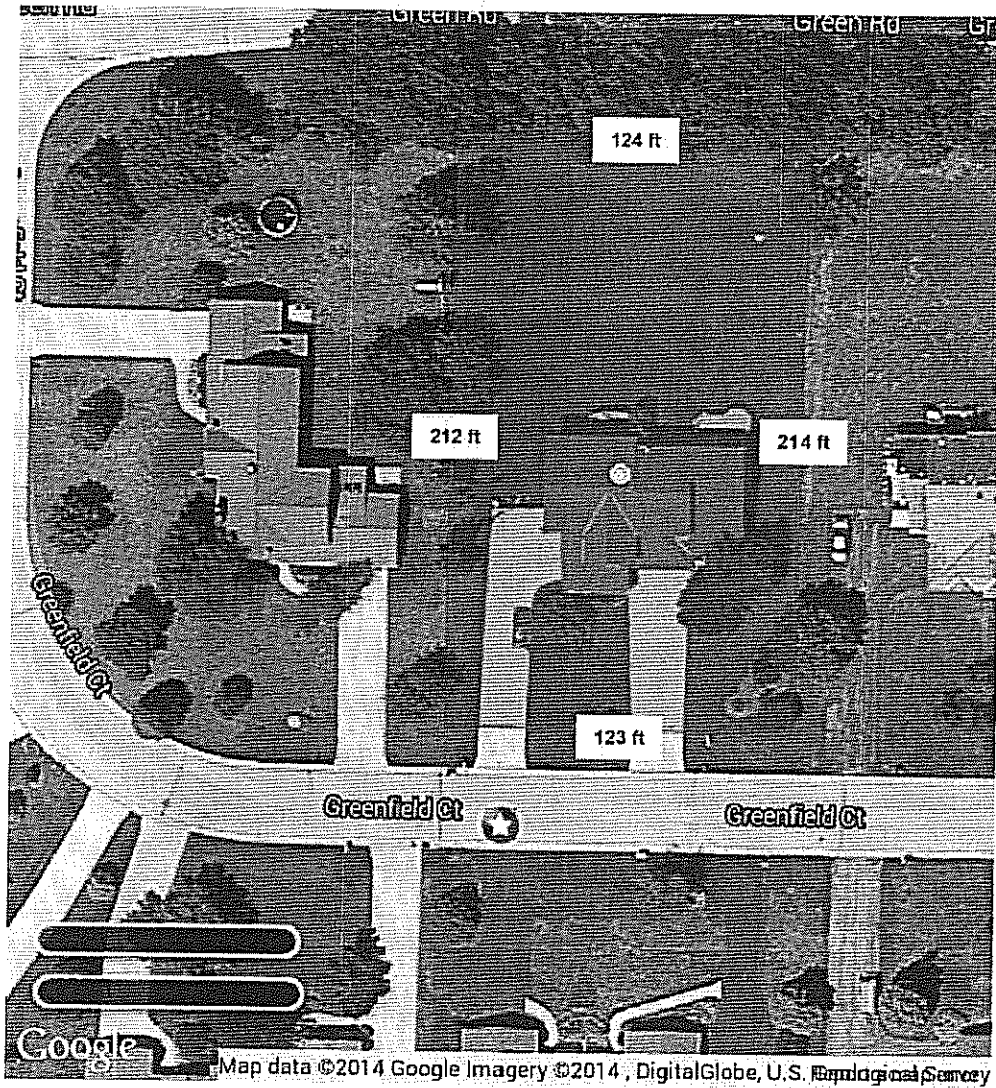
Borrower/Client	Banda, Sylvia				
Property Address	N30W23536 Greenfield Ct				
City	Pewaukee	County	Waukesha	State	WI Zip Code 53072
Lender	N/A				



Plat Map

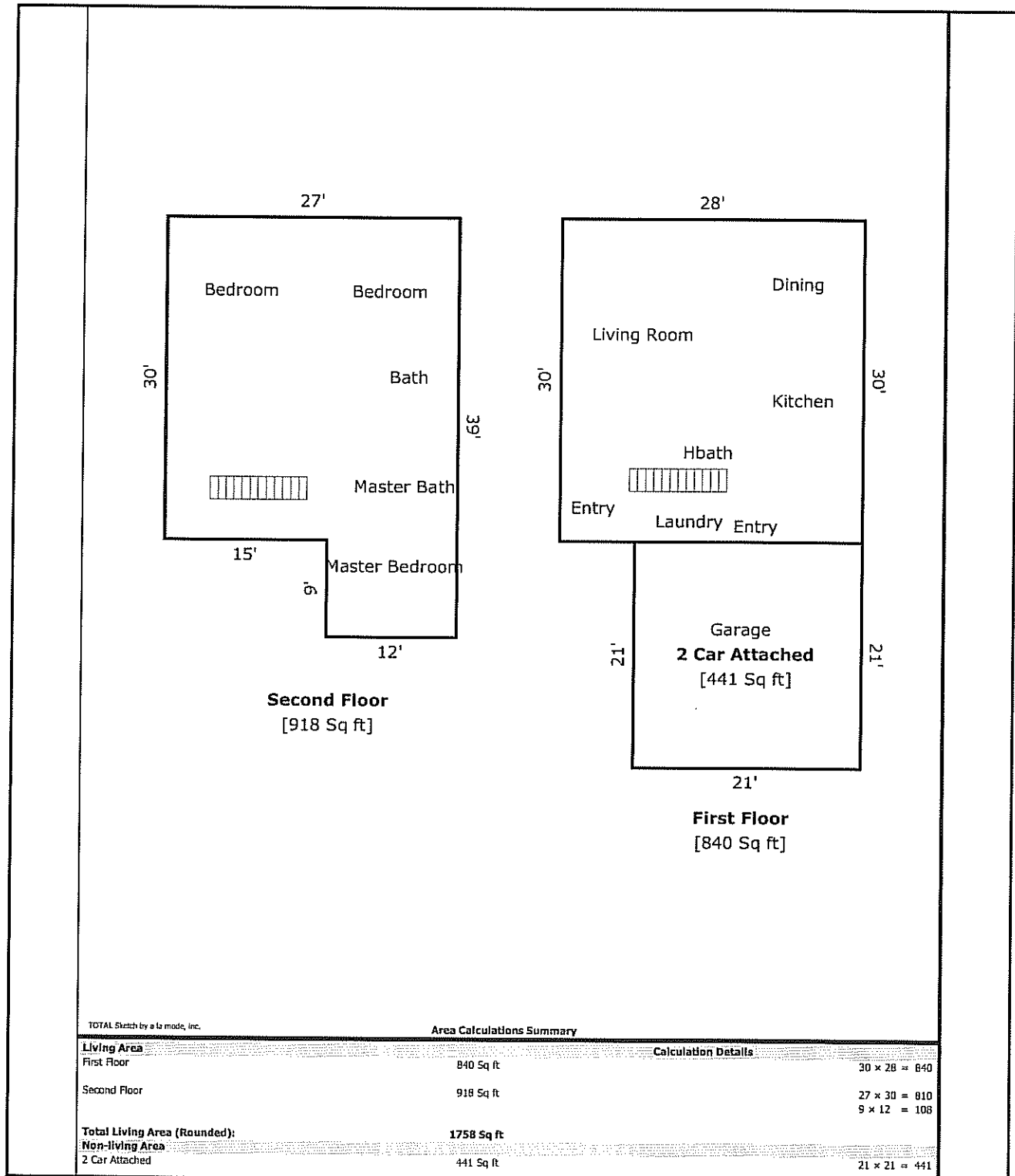
Borrower/Client	Banda, Sylvia				
Property Address	N30W23536 Greenfield Ct				
City	Pewaukee	County	Waukesha	State	WI Zip Code 53072
Lender	N/A				

lexmls Web

<http://members.ml>

Building Sketch

Borrower/Client	Banda, Sylvia			
Property Address	N30W23536 Greenfield Ct			
City	Pewaukee	County	Waukesha	State WI Zip Code 53072
Lender	N/A			



File No. BAND0514

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale. (Source: FDIC Interagency Appraisal and Evaluation Guidelines, October 27, 1994.)

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

STATEMENT OF LIMITING CONDITIONS AND CERTIFICATION

CONTINGENT AND LIMITING CONDITIONS: The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is valued on the basis of it being under responsible ownership.
2. Any sketch provided in the appraisal report may show approximate dimensions of the improvements and is included only to assist the reader of the report in visualizing the property. The appraiser has made no survey of the property.
3. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
4. Any distribution of valuation between land and improvements in the report applies only under the existing program of utilization. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
5. The appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous waste, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. This appraisal report must not be considered an environmental assessment of the subject property.
6. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
7. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.
8. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
9. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower; the mortgagee or its successors and assigns; the mortgage insurer; consultants; professional appraisal organizations; any state or federally approved financial institution; or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.
10. The appraiser is not an employee of the company or individual(s) ordering this report and compensation is not contingent upon the reporting of a predetermined value or direction of value or upon an action or event resulting from the analysis, opinions, conclusions, or the use of this report. This assignment is not based on a required minimum, specific valuation, or the approval of a loan.

File No. BAND0514

CERTIFICATION: The appraiser certifies and agrees that:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial and unbiased professional analyses, opinions, and conclusions.
3. Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
4. Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
5. I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
6. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
7. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
8. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
9. Unless otherwise indicated, I have made a personal inspection of the interior and exterior areas of the property that is the subject of this report, and the exteriors of all properties listed as comparables.
10. Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

ADDRESS OF PROPERTY ANALYZED: N30W23536 Greenfield Ct, Pewaukee, WI 53072

APPRAISER:

Signature: Sherry A. Rockwell
 Name: Sherry A. Rockwell
 Title: _____
 State Certification #: _____
 or State License #: 1597-4
 State: WI Expiration Date of Certification or License: 12/14/2015
 Date Signed: June 04, 2014

SUPERVISORY or CO-APPRAISER (if applicable):

Signature: _____
 Name: _____
 State Certification #: _____
 or State License #: _____
 State: _____ Expiration Date of Certification or License: _____
 Date Signed: _____
☐ Did ☐ Did Not Inspect Property

Appraisal License

NO. 1597 - 4

EXPIRES: 12/14/2015

The State of Wisconsin
Department of Safety and Professional Services

Hereby certifies that
SHERRY A ROCKWELL
was granted a certificate to practice as a
LICENSED APPRAISER ELIGIBLE TO APPRAISE FEDERALLY RELATED
TRANSACTIONS IS AQB COMPLIANT

in the State of Wisconsin in accordance with Wisconsin Law
on the 15th day of July in the year 2003.

The authority granted herein must be renewed each biennium by the granting authority.

In witness thereof, the State of Wisconsin
Department of Safety and Professional Services
has caused this certificate to be issued under
its official seal.




Secretary

This certificate was printed on the 13th day of December in the year 2013

Exhibit

B10 (Official Form 10) (4/13)

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF WI		PROOF OF CLAIM
Name of Debtor: Sylvia K. Banda, fka Sylvia K. Owor	Case Number: 13-25901-PP-13	<div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503. </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> Name of Creditor (the person or other entity to whom the debtor owes money or property): Bank of America, N.A. </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> Name and address where notices should be sent: Bank of America, N.A. P.O. Box 660933 Dallas, TX 75266-0933 </div> <div style="border: 1px solid black; padding: 5px;"> Name and address where payment should be sent (if different from above): </div>
1. Amount of Claim as of Date Case Filed: \$ 250,534.22		
If all or part of the claim is secured, complete item 4. If all or part of the claim is entitled to priority, complete item 5. <input checked="" type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: <u>Money loaned.</u>		
3. Last four digits of any number by which creditor identifies debtor: <u>XXXXXX8928</u>	3a. Debtor may have scheduled account as:	3b. Uniform Claim Identifier (optional):
4. Secured Claim Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information. Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor <input type="checkbox"/> Vehicle <input type="checkbox"/> Other Describe: <u>N30W23536 Greenfield Court, Unit 1, Pewaukee, WI 53072</u> Value of Property: \$ _____ Annual Interest Rate: <u>4.625</u> <input checked="" type="checkbox"/> % Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: <u>\$ 3,467.16</u> Basis for perfection: <u>Recorded Mortgage</u> Amount of Secured Claim: <u>\$ 250,534.22</u> Amount Unsecured: \$ _____
5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier - 11 U.S.C. § 507(a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).
<input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, famil, or household use - 11 U.S.C. § 507(a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).	<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a)().
Amount entitled to priority: \$ _____		
<small>*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</small>		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		

Exhibit C

B 10 (Official Form 10) (12/11)

UNITED STATES BANKRUPTCY COURT Eastern District of Wisconsin		PROOF OF CLAIM
Name of Debtor: Sylvia Banda	Case Number: 13-25901	
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): Bank of America N.A.		
Name and address where notices should be sent: Green Tree Servicing LLC 7360 S. Kyrene Rd. T-120 Tempe, AZ. 85283 Telephone number: (877) 256-4871 email: Recovery.Bankruptcy@gt-cs.com		COURT USE ONLY <input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
Name and address where payment should be sent (if different from above): Green Tree Servicing 345 St. Peter St. L800R St. Paul, MN. 55102 Telephone number: (877) 256-4871 email: herschel.r.hoyt@gt-cs.com		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
1. Amount of Claim as of Date Case Filed: \$ <u>44,056.23</u> If all or part of the claim is secured, complete item 4. If all or part of the claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: <u>Mortgage Note</u> (See instruction #2)		
3. Last four digits of any number by which creditor identifies debtor: 0 0 4 8	3a. Debtor may have scheduled account as: <u>Sylvia Banda</u> (See instruction #3a)	3b. Uniform Claim Identifier (optional): (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.		
Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: N30W23536 GREENFIELD CT # 1 PEWAUKEE WI Value of Property: \$ _____ Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ <u>13,396.36</u> Basis for perfection: _____ Amount of Secured Claim: \$ <u>44,056.23</u> Amount Unsecured: \$ _____
5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4). <input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5). <input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. § 507 (a)(). Amount entitled to priority: \$ _____
*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		